IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRI.W.P.NO.864 OF 2006

Shri.Sham Kankaria ..Petitioner

Vs.

The State of Maharashtra
and Anr. ..Respondents

...

Mr.S.A.Rajeshire Advocate for Petitioner
Mrs.A.S.Pai A.P.P. for State

...

CORAM: D.G.DESHPANDE AND SMT.V.K.TAHILRAMANI,JJ.

DATE : APRIL 26,2006

ORAL ORDER (PER SMT.V.K.TAHILRAMANI,J.):

1. Heard Mr.Rajeshire, the learned advocate for the petitioner and Mrs.Pai, the learned A.P.P. for the State. Rule. By consent, rule is made returnable forthwith.

2. This petition is for parole. The application preferred by the petitioner for parole came to be rejected on the ground that the wife of the petitioner is available to take care of the mother of the petitioner. It is seen that mother of the

petitioner is over 74 years of age. There is no male member in the family to take care of the mother of the petitioner. The other family members are minors. Moreover, the petitioner was earlier released on bail and he has not misused liberty granted to him. In this view of the matter, we are of the opinion that on humanitarian grounds, the petitioner can be released on parole.

3. The petitioner to be released on parole on the usual terms and conditions for a period of thirty days.

4. Rule is made absolute in the above terms. Petition is disposed of.

[D.G.DESHPANDE, J.]

[SMT.V.K.TAHILRAMANI,J.]